


U.S.S.N. 10/082,954  
Filed: February 26, 2002  
AMENDMENT UNDER 37 C.F.R. 1.312

### Remarks

Claims 2-14 and 16-33 have been allowed. To make the claim language consistent with other of the assignee's patent applications, claims 30 and 31 have been amended to recite a device comprising a biodegradable polyhydroxyalkanoate polymer composition that a controlled degradation rate under physiological conditions, wherein the average molecular mass of the polymer decreases 20% to 50% over a ten week period *in vivo* or wherein the percent mass loss is greater than 5% over a six week period *in vivo*, a method for making a device that has a controlled degradation rate under physiological conditions, wherein the average molecular mass of the polymer decreases 20% to 50% over a ten week period *in vivo* or wherein the percent mass loss is greater than 5% over a six week period *in vivo*, respectively. Support for the amendments can be found, for example, on page 54, lines 4-17 and page 56, Table 7.

Amendment of claims 30 and 31 is respectfully solicited.

Respectfully submitted,



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Date: August 24, 2004

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